

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UEL JOE FREEMAN,)	
)	
Plaintiff(s),)	
)	
v.)	Case No. 4:09CV00008-JCH
)	
TROY STEELE,)	
)	
Defendant(s).)	

ORDER

This matter is before the Court on Plaintiff's Request for Leave of Court to File Motion for Discovery, filed June 9, 2009. (Doc. No. 19). As part of Plaintiff's Request, he seeks appointment of counsel. There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief, whether the plaintiff will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering Plaintiff's request for appointment of counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Uel Joe Freeman indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Plaintiff's request for appointment of counsel will therefore be denied.

Furthermore, the Court will deny, without prejudice, all other issues presented in Plaintiff's Request for Leave of Court to File Motion for Discovery.

Accordingly,

IT IS HEREBY ORDERED that Request for Leave of Court to File Motion for Discovery (Doc. No. 19) is **DENIED**.

Dated this 18th day of June, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE